UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1995/947
10 November 1995

ORIGINAL: ENGLISH

LETTER DATED 10 NOVEMBER 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the statement that I would have made had there been a debate on 9 November 1995 in the Security Council on agenda item "The situation in the former Yugoslavia" (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

95-35067 (E) 131195 141195

/...

Annex

The Federal Republic of Yugoslavia has throughout the crisis in the Balkans been gravely concerned over the serious violations of human rights and humanitarian law which have occurred in the conflicts in the former Yugoslavia. Yugoslavia has provided within its territory shelter for more than 800,000 refugees, regardless of their nationality, who fled the war and persecution and breaches of human rights.

The Federal Republic of Yugoslavia deems that it is the obligation of the international community to put an end energetically to the genocidal actions of the Croatian authorities against the Serbs both in areas that were supposed to be protected by the United Nations and elsewhere throughout Croatia where the Serbs have remained following its forcible secession from the Socialist Federal Republic of Yugoslavia. According to many foreign observers and humanitarian organizations, the elimination of Serbs from Croatia and Krajina represents the most massive example of ethnic cleansing in the former Yugoslavia, as more than 550,000 Serbs were expelled. The Federal Republic of Yugoslavia, which consistently pursues a policy of national equality, has the unequivocal moral right to insist on the restoration and full protection of all of their legitimate rights.

The Federal Republic of Yugoslavia most strongly condemns any crime against people of any nationality, their freedoms or property and, regardless of who the culprits are, is firm in its stand that those responsible must be brought to justice and punished appropriately. All those who commit criminal acts against humanity in the Federal Republic of Yugoslavia are treated equally before the law regardless of their national background. Consequently, the Yugoslav authorities urged the leadership of the Republic of Srpska to undertake thorough investigations in connection with recent reports from Banja Luka and other areas and to bring to justice those who committed criminal acts against the Muslims and Croats.

As regards the International War Crimes Tribunal for the former Yugoslavia, its concrete activities have reinforced and not weakened the initial doubts about its impartiality. Out of 46 persons who have been indicted so far, 44 are of Serbian nationality. Does the Tribunal in this manner wish to demonstrate that the Serbs are 44 times more guilty than the two other sides in the civil war.

Despite the fact that it supports certain elements of the draft resolution presently before the Security Council on violation of human rights and humanitarian law in the former Yugoslavia, the Federal Republic of Yugoslavia is of the opinion that it is counterproductive that the Security Council should be addressing this issue at this crucial time when finally key peace negotiations are being held at Dayton, Ohio, with the aim of reaching a comprehensive settlement to the crisis in the former Yugoslavia. It would have been better for the Council to have given its support to the talks at Dayton than to focus on only one aspect of the crisis, thus giving ammunition to those parties that are trying to take advantage of certain events to further their own political

agenda, increase the pressure on the Bosnian Serbs and the Yugoslav side and to postpone the attainment of a peaceful settlement.

At this decisive moment, which is to determine whether peace will finally come to the Balkans or the war option will prevail, it is essential that the Council give full support to the peace process and not be sidetracked by obvious attempts by some parties to bolster their negotiating position and increase the pressure on their adversaries.